

Appl. No. 09/980,797
 Atty. Docket No. 7656M
 Amdt. dated December 3, 2004
 Reply to Office Action of 08/13/2004
 Customer No. 27752

AMENDMENTS TO THE CLAIMS

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

Claims 1 – 25 (Canceled).

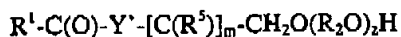
Claims 26 – 33 (Canceled) .

34. (Previously Presented) A clear or translucent liquid fabric softener composition comprising:

A. from about 1% to about 80% by weight of the composition, of polyquaternary ammonium fabric softener active which either has a phase transition temperature in the presence of less than about 5% organic solvent or water of less than about 50°C or which has no significant endothermic phase transition in the region -50°C to 100°C, said active being in a bilayer; and

B. an effective amount of stabilizer for maintaining said composition clear or translucent comprising an effective amount of bilayer modifier, wherein said bilayer modifier comprises a nonionic surfactant with a bulky head group selected from:

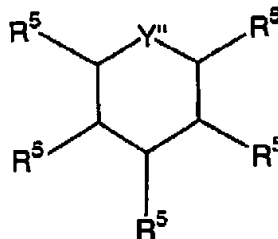
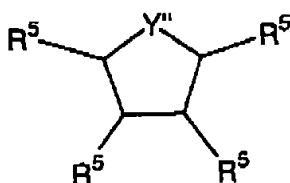
1. a surfactant having the formula



wherein R^1 is selected from the group consisting of saturated or unsaturated, primary, secondary or branched chain alkyl or alkyl-aryl hydrocarbons; said hydrocarbon chain containing from about 6 to about 22 carbon atoms; Y' is selected from the following groups: -O-; -N(A)-; and/or mixtures thereof; A is selected from the following groups: H; R^1 ; $-(R^2-O)_x-H$; $-(CH_2)_xCH_3$; phenyl, or substituted aryl, wherein $0 \leq x \leq$ about 3 and z is from about 5 to about 30; each R^2 is selected from the following groups or combinations of the following groups: $-(CH_2)_n-$ wherein n is from about 1 to about 4 and/or $-[CH(CH_3)CH_2]-$; and each R^5 is selected from the following groups: -OH; and $-O(R^2O)_z-H$; and m is from about 2 to about 4;

2. a surfactant having at least one of the following formulas:

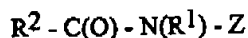
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wherein Y'' = N or O; and each R⁵ is selected independently from the following:

-H, -OH, -(CH₂)_xCH₃, -O(OR²)_x-H, -OR¹, -OC(O)R¹, and -CH(CH₂-(OR²)_x-H)-CH₂-(OR²)_z-C(O)R¹, x and z are as defined above and 5 ≤ x, z', and z'' ≤ 20;

3. a polyhydroxy fatty acid amide surfactant of the formula:



wherein: each R¹ is H, C₁-C₄ hydrocarbyl, C₁-C₄ alkoxyalkyl, or hydroxyalkyl; and R² is a C₅-C₃₁ hydrocarbyl moiety; and each Z is a polyhydroxyhydrocarbyl moiety having a linear hydrocarbyl chain with at least 3 hydroxyls directly connected to the chain, or an ethoxylated derivative thereof; and each R' is H or a cyclic mono- or poly-saccharide, or alkoxyated derivative thereof; and

4. a mixture thereof.

Claims 35-41 (Canceled).

42. (Currently Amended) The method of determining the stability of aqueous clear or translucent softening composition comprising providing a, according to Claim 26 comprising polyquaternary ammonium softener compound

a clear or translucent liquid fabric softener composition comprising:

A. from about 1% to about 80% by weight of the composition, of polyquaternary ammonium fabric softener active which either has a phase transition temperature in the presence of less than about 5% organic solvent or water of less than about 50°C or which has no significant endothermic phase transition in the region -50°C to 100°C, said active being in a bilayer; and

B. an effective amount of stabilizer for maintaining said composition clear or translucent comprising an effective amount of bilayer modifier;

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comprising the step of subjecting said composition to high-speed centrifugation and measuring the % volume of secondary phase which separates.

Claims 43 – 44 (Canceled).

45. (Previously Presented) The composition of Claim 34, further comprising an organic solvent from at or above about 0.25% to at or below about 7% by weight of the composition.

46. (Previously presented) The composition of Claim 45, wherein said organic solvent is from at or above 0.5% to at or below about 5% by weight of the composition.

Claims 47 – 49 (Canceled).